

REMARKS

Claims 1-37 were previously pending in this patent application. Claims 1-37 stand rejected. Herein, no claim has been amended. Accordingly, after this Amendment and Response After Final Action, Claims 1-37 remain pending in this patent application. Further examination and reconsideration in view of the claim amendments and arguments set forth below is respectfully requested.

Statement Pursuant to 35 U.S.C. Section 103(c) to Disqualify Patent

Patent Application No. 09/707,521 and U.S. Patent No. 6,172,621 (Iwata) were, at the time the invention of Patent Application No. 09/707,521 was made, owned by or subject to an obligation of assignment to the same person, SONY Corporation.

The above statement alone is sufficient to disqualify U.S. Patent No. 6,172,621 (Iwata) from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521 since U.S. Patent No. 6,172,621 (Iwata) is only available as prior art under 35 U.S.C. Section 102(e).

35 U.S.C. Section 103(a) Rejections

Claims 1, 2, 3, 6, 10, 11, 12, 15, 18, 19, 20, and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, U.S. Patent No. 6,172,621 (hereafter Iwata). These rejections are respectfully traversed.

As stated above, U.S. Patent No. 6,172,621 (Iwata) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521. Hence, Claims 1, 2, 3, 6, 10, 11, 12, 15, 18, 19, 20, and 22 are patentable over all the references cited.

Claims 7, 8, 9, 16, 17, 28, and 29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, U.S. Patent No. 6,172,621 (hereafter Iwata) in view of Washington, U.S. Patent No. 6,389,171 (hereafter Washington). These rejections are respectfully traversed.

As stated above, U.S. Patent No. 6,172,621 (Iwata) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521. Hence, Claims 7, 8, 9, 16, 17, 28, and 29 are patentable over all the references cited.

Claims 21, 23, 24, 25, 26, 30, 31, 32, 33, and 34 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, U.S. Patent No. 6,172,621 (hereafter Iwata) in view of Jan, U.S. Patent No. 5,363,097 (hereafter Jan). These rejections are respectfully traversed.

As stated above, U.S. Patent No. 6,172,621 (Iwata) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521. Hence, Claims 21, 23, 24, 25, 26, 30, 31, 32, 33, and 34 are patentable over all the references cited.

Claims 36 and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, U.S. Patent No. 6,172,621 (hereafter Iwata), in view of Jan, U.S. Patent No. 5,363,097 (hereafter Jan), and further in view of Washington, U.S. Patent No. 6,389,171 (hereafter Washington). These rejections are respectfully traversed.

As stated above, U.S. Patent No. 6,172,621 (Iwata) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521. Hence, Claims 36 and 37 are patentable over all the references cited.

Claim 35 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, U.S. Patent No. 6,172,621 (hereafter Iwata), in view of Jan, U.S. Patent No. 5,363,097 (hereafter Jan), further in view of Peng et al., U.S. Patent No. 6,496,199 (hereafter Peng). These rejections are respectfully traversed.

As stated above, U.S. Patent No. 6,172,621 (Iwata) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521. Hence, Claim 35 is patentable over all the references cited.

Claims 4, 5, 13, 14, and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, U.S. Patent No. 6,172,621 (hereafter Iwata) in view of Peng et al., U.S. Patent No. 6,496,199 (hereafter Peng). These rejections are respectfully traversed.

As stated above, U.S. Patent No. 6,172,621 (Iwata) is disqualified from being used in a rejection under 35 U.S.C. Section 103(a) against the claims of Patent Application No. 09/707,521. Hence, Claims 4, 5, 13, 14, and 27 are patentable over all the references cited.

CONCLUSION

It is respectfully submitted that the above arguments and remarks overcome all rejections. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 1-37) are now in condition for allowance.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

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Respectfully submitted,

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